

PATENT

Attorney Docket No. 40170.830009.001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Tapesh Yadav et al.

Serial No. 09/083,893

Filed: May 22, 1998

For: NANOSTRUCTURED FILLERS
AND CARRIERS

Group Art Unit: 1742

Examiner:

REVOCATION AND GRANT OF POWER OF ATTORNEY

Asst. Commissioner for Patents
Washington, D.C. 20231

Sir:

Nanomaterials Research Corporation, as owner of the entire right, title and interest in the above patent application, hereby revokes all prior Powers of Attorney for the above-identified patent application and hereby appoints Francis A. Sirr, Reg. No. 17,265, Earl C. Hancock, Reg. No. 19,472, William J. Kubida, Reg. No. 29,664, Stuart T. Langley, Reg. No. 33,940, Carol W. Burton, Reg. No. 35,465, Lee R. Osman, Reg. No. 38,260, James A. Pinto, Reg. No. 40,774, Robert G. Crouch, Reg. No. 34,806, Robert H. Kelly, Reg. No. 33,922, Patrick T. McBride, Reg. No. 39,295, Steven K. Barton, Reg. No. 36,445, and Brian P. Kinnear, Reg. No. 43,717, all members of the Bar of the State of Colorado, as its attorneys to prosecute this application with full power of substitution and revocation, and to transact all business in the Patent and Trademark Office in connection therewith.

Please direct any correspondence to:

Stuart T. Langley.
Holland & Hart LLP
P.O. Box 8749
Denver, Colorado 80201

Respectfully submitted,

Date

Aug 16, 99


Tapesh Yadav

President and CEO,
Nanomaterials Research Corporation

| | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------|
| DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63) | Attorney Docket No. | A9 |
| | First Named Inventor | Tapesh Yadav |
| | COMPLETE IF KNOWN | |
| | Application Number | 09/083,893 |
| | Filing Date | May 22, 1998 |
| <input type="checkbox"/> Declaration Submitted with Initial Filing OR <input type="checkbox"/> Declaration Submitted after Initial Filing—surcharge 37 CFR 1.16(e) required | Group Art Unit | 1742 |
| | Examiner Name | C. Koslow |

As a below named Inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Nanostructured Fillers and Carriers

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) 5/22/98 as U.S. Application No. or PCT International Application No. 09/083,893

and was amended on (MM/DD/YYYY) (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C § 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT International application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Appl. No.(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed | Certified Copy Attached? | |
|----------------------------|---------|----------------------------------|--------------------------|--------------------------|--------------------------|
| | | | | Yes | No |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

☐ Additional foreign application nos. are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

| Application Number(s) | Filing Date (MM/DD/YYYY) |
|-----------------------|--------------------------|
| | |

DECLARATION - Utility or Design Patent Application

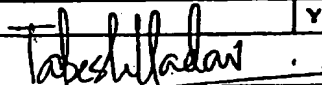
I hereby claim the benefit under 35 U.S.C. 120 of any U.S. application(s) or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application

| U.S. Parent Application or PCT Parent No. | Parent Filing Date (MM/DD/YY) | Parent Patent No. (if applicable) |
|-------------------------------------------|----------------------------------|--------------------------------------|
| 08/739,257 | 10/30/96 | 5,905,000 |
| 08/730,661 | 10/11/96 | 5,952,040 |
| 08/706,819 | 9/3/96 | 5,581,507 |
| 08/707,341 | 9/3/96 | 5,788,738 |

☐ Additional U.S. or PCT international application nos. listed on PTO/SB/02B attached hereto.

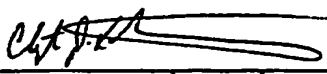
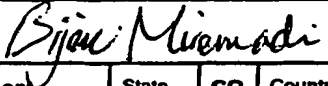
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor: ☐ A petition has been filed for this unsigned inventor.

| | | | | | | | |
|----------------------------------------|------------------------------------------------------------------------------------|-------|----|------------------------|-------|--------------|-------|
| Given Name (first and middle [if any]) | | | | Family Name or Surname | | | |
| Tapesh | | | | Yadav | | | |
| Inventor's Signature |  | | | | | Date | |
| | | | | | | Nov 17, 2000 | |
| Residence City | Longmont | State | CO | Country | USA | Citizenship | India |
| Post Office Address | 8724 SKYLAND DR | | | | | | |
| Post Office Address | LONGMONT | | | | | | |
| City | LONGMONT | State | CO | ZIP | 80503 | Country | USA |

☒ Additional inventors are named on 2 supplemental additional inventor(s) sheet(s) PTO/SB/02A attached

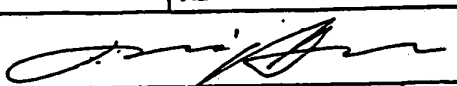
| | |
|--------------------|----------------------------------------------------------------------------------|
| DECLARATION | ADDITIONAL INVENTOR(S) Supplemental Sheet Page <u>1</u> of <u>2</u> |
|--------------------|----------------------------------------------------------------------------------|

| | | | | | | | |
|--------------------------------------------|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|----|---------|-------|-------------|----------|
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | | | | | |
| Given Name (first and middle (if any)) | | Family Name or Surname | | | | | |
| Clayton | | Kostecky | | | | | |
| Inventor's Signature |  | | | | | Date | 11/17/00 |
| Residence: City | Longmont | State | CO | Country | USA | Citizenship | USA |
| Post Office Address | 700 Bluegrass Dr. | | | | | | |
| Post Office Address | | | | | | | |
| City | Longmont | State | CO | ZIP | 80503 | Country | USA |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | | | | | |
| Given Name (first and middle (if any)) | | Family Name or Surname | | | | | |
| Evan | | Franke | | | | | |
| Inventor's Signature | | | | | | Date | |
| Residence: City | Longmont | State | CO | Country | USA | Citizenship | USA |
| Post Office Address | | | | | | | |
| Post Office Address | | | | | | | |
| City | | State | | ZIP | | Country | |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | | | | | |
| Given Name (first and middle (if any)) | | Family Name or Surname | | | | | |
| Bijan | | Miremadi | | | | | |
| Inventor's Signature |  | | | | | Date | 11/17/00 |
| Residence: City | Longmont | State | CO | Country | USA | Citizenship | Canada |
| Post Office Address | 2727 Nelson Rd. Apt # B-207 | | | | | | |
| Post Office Address | | | | | | | |
| City | Longmont | State | CO | ZIP | 80503 | Country | USA |

| | |
|--------------------|----------------------------------------------------------------------------------|
| DECLARATION | ADDITIONAL INVENTOR(S) Supplemental Sheet Page <u>1</u> of <u>2</u> |
|--------------------|----------------------------------------------------------------------------------|

| | | | | | | | |
|--------------------------------------------|--------------------|-------------------------------------------------------------------------------|----|---------|-------|-------------|----------|
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | | | | | |
| Given Name (first and middle [if any]) | | Family Name or Surname | | | | | |
| Clayton | | Kostecky | | | | | |
| Inventor's Signature | | | | | | Date | |
| Residence: City | Longmont | State | CO | Country | USA | Citizenship | USA |
| Post Office Address | | | | | | | |
| Post Office Address | | | | | | | |
| City | | State | | ZIP | | Country | |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | | | | | |
| Given Name (first and middle [if any]) | | Family Name or Surname | | | | | |
| Evan | | Franke <i>(address change below)</i> | | | | | |
| Inventor's Signature | <i>Evan Franke</i> | | | | | Date | 11/27/00 |
| Residence: City | Longmont | State | CO | Country | USA | Citizenship | USA |
| Post Office Address | 4858 VIEJA DRIVE | | | | | | |
| Post Office Address | | | | | | | |
| City | Santa Barbara | State | CA | ZIP | 93110 | Country | U.S.A. |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | | | | | |
| Given Name (first and middle [if any]) | | Family Name or Surname | | | | | |
| Bijan | | Miremadi | | | | | |
| Inventor's Signature | | | | | | Date | |
| Residence: City | Longmont | State | CO | Country | USA | Citizenship | Canada |
| Post Office Address | | | | | | | |
| Post Office Address | | | | | | | |
| City | | State | | ZIP | | Country | |

| | |
|--------------------|----------------------------------------------------------------------------------|
| DECLARATION | ADDITIONAL INVENTOR(S) Supplemental Sheet Page <u>2</u> of <u>2</u> |
|--------------------|----------------------------------------------------------------------------------|

| | | | | | | | |
|--------------------------------------------|-----------------------------------------------------------------------------------|-------------------------------------------------------------------------------|----|---------|-------|-------------|----------|
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | | | | | |
| Given Name (first and middle (if any)) | | Family Name or Surname | | | | | |
| Ming | | Au | | | | | |
| Inventor's Signature |  | | | | | Date | 12/29/00 |
| Residence: City | N. Augusta | State | SC | Country | USA | Citizenship | USA |
| Post Office Address | 555 St. Julian Pl. | | | | | | |
| Post Office Address | | | | | | | |
| City | N. Augusta | State | SC | ZIP | 29860 | Country | USA |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | | | | | |
| Given Name (first and middle (if any)) | | Family Name or Surname | | | | | |
| | | | | | | | |
| Inventor's Signature | | | | | | Date | |
| Residence: City | | State | | Country | | Citizenship | |
| Post Office Address | | | | | | | |
| Post Office Address | | | | | | | |
| City | | State | | ZIP | | Country | |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | | | | | |
| Given Name (first and middle (if any)) | | Family Name or Surname | | | | | |
| | | | | | | | |
| Inventor's Signature | | | | | | Date | |
| Residence: City | | State | | Country | | Citizenship | |
| Post Office Address | | | | | | | |
| Post Office Address | | | | | | | |
| City | | State | | ZIP | | Country | |

| | |
|--------------------|----------------------------------------------------------------------------------|
| DECLARATION | ADDITIONAL INVENTOR(S) Supplemental Sheet Page <u>2</u> of <u>2</u> |
|--------------------|----------------------------------------------------------------------------------|

| | | | | | | | |
|--------------------------------------------|--------------------|-------------------------------------------------------------------------------|----|---------|-------|-------------|------------|
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | | | | | |
| Given Name (first and middle (if any)) | | Family Name or Surname | | | | | |
| Ming | | Au | | | | | |
| Inventor's Signature | | | | | | Date | |
| Residence: City | | State | | Country | | Citizenship | China |
| Post Office Address | | | | | | | |
| Post Office Address | | | | | | | |
| City | | State | | ZIP | | Country | |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | | | | | |
| Given Name (first and middle (if any)) | | Family Name or Surname | | | | | |
| Anthony | | Vigliotti | | | | | |
| Inventor's Signature | <i>A Vigliotti</i> | | | | | Date | 12/21/2000 |
| Residence: City | Fairless Hills | State | PA | Country | USA | Citizenship | USA |
| Post Office Address | 3111 Shirley Rd | | | | | | |
| Post Office Address | | | | | | | |
| City | Youngstown | State | OH | ZIP | 44502 | Country | USA |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | | | | | |
| Given Name (first and middle (if any)) | | Family Name or Surname | | | | | |
| | | | | | | | |
| Inventor's Signature | | | | | | Date | |
| Residence: City | | State | | Country | | Citizenship | |
| Post Office Address | | | | | | | |
| Post Office Address | | | | | | | |
| City | | State | | ZIP | | Country | |

DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Materials and Products Using Nanostructured Non-Stoichiometric Substances

the specification of which (I authorize Choate, Hall & Stewart to check one of the following, three choices, and fill in the blanks, if applicable):

X is attached hereto

_____ was filed on _____ as Application Serial No. _____ and amended on _____ (if applicable).

_____ was filed as PCT international application No. _____ on _____ and was amended under PCT Article 19 on _____ (if applicable).

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledged the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

Priority Claimed

| (Number) | (Country) | (Day/Month/Year/Filed) | Yes | No |
|----------|-----------|------------------------|-----|----|
|----------|-----------|------------------------|-----|----|

| | | | | |
|----------|-----------|------------------------|-----|----|
| (Number) | (Country) | (Day/Month/Year/Filed) | Yes | No |
|----------|-----------|------------------------|-----|----|

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

| | | |
|-----------------------------|-----------------------------|---------------------------------------|
| <u> </u> | <u> </u> | <u> </u> |
| (Application Serial No.) | (filing date) | (status-patented, pending, abandoned) |

| | | |
|-----------------------------|-----------------------------|---------------------------------------|
| <u> </u> | <u> </u> | <u> </u> |
| (Application Serial No.) | (filing date) | (status-patented, pending, abandoned) |

PCT Applications designating the United States

| | | |
|-----------------------------|-----------------------------|---------------------------------------|
| <u> </u> | <u> </u> | <u> </u> |
| (PCT Appl. No.) | (U.S.S.N.) | (status-patented, pending, abandoned) |

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national filing date of this application.

Provisional Application(s):

"Materials and Products Using Nanostructured Non-Stoichiometric Substances"

| | | |
|--------------------|----------------|----------------|
| <u>60/111,442</u> | <u>12/1/98</u> | <u>pending</u> |
| Application Number | Filing Date | Status |

| | | |
|-----------------------------|-----------------------------|-----------------------------|
| <u> </u> | <u> </u> | <u> </u> |
| Application Number | Filing Date | Status |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United State Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full name of first inventor: Tajesh Yadav
Inventor's signature: Tajesh Yadav Date: 8/23/99
Residence: 8724 Skyland, Longmont, CO Citizenship: USA
Post Office Address: 2620 Trade Center Ave, Longmont, CO 80503

Full name of first inventor: Ming Au
Inventor's signature: Ming Au Date: 3/22/99
Residence: 1402 Stuart St # S, Longmont, CO Citizenship: CHINA
Post Office Address: 2620 Trade Center Ave, Longmont, CO 80503

Full name of first inventor: Bijan Miremadi
Inventor's signature: Bijan Miremadi Date: March 23, 99
Residence: #B-207, 2227 Nelson Rd. Citizenship: CANADA
Post Office Address: 2620 Trade Center Ave, Longmont, CO 80503

Full name of first inventor: John Freim
Inventor's signature: John Freim Date: March 22, 1999
Residence: 3577 PARKER CIR LONGMONT CO Citizenship: USA
Post Office Address: 2620 Trade Center Ave, Longmont, CO 80503

Full name of first inventor: Yaval Avniel
Inventor's signature: Yaval Avniel Date: 05-22-99
Residence: 204 8th Ave, Longmont CO 80501 Citizenship: USA
Post Office Address: 2620 Trade Center Ave, Longmont, CO 80503

Full name of first inventor: Roger Dirstine
Inventor's signature: Roger Dirstine Date: 3/22/99
Residence: 2858 Kyle Circle Citizenship: USA
Post Office Address: 2620 Trade Center Ave, Longmont, CO 80503

Full name of first inventor: John Alexander
Inventor's signature: John Alexander Date: 3/22/99
Residence: 1406 PINEWOOD COURT, LONGMONT Citizenship: USA UK J.A.
Post Office Address: 2620 Trade Center Ave, Longmont, CO 80503

Full name of first inventor: Evan Franke

Inventor's signature: Evan Franke

Date: 3/22/99

Residence: 453 Verdant Cr Longmont CO 80501 Citizenship: USA

Post Office Address: 2620 Trade Center Ave. Longmont, CO 80503